

POINT OF ORDER

Mr. LUCAS. Madam Chair, I make a point of order against section 743 which begins on page 78, line 24, and ends on page 79, line 2, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order?

Mr. MCGOVERN. Madam Chair, I wish to be heard.

The Acting CHAIR. The gentleman from Massachusetts is recognized.

Mr. MCGOVERN. Thank you, Madam Chair. Let me clarify what insisting on this point of order means.

It means that the amendment that Ms. DELAURO offered in committee, which was approved in the Appropriations Committee, is nullified, which means that Brazilian cotton farmers get subsidies and poor pregnant women and children do not get the money for WIC.

□ 1720

I have nothing against Brazilian cotton farmers, but Brazil's economy is doing pretty good right now.

The Rules Committee could have protected the money for WIC. The Rules Committee waived points of order against a whole bunch of stuff in this bill except for three provisions. So it wouldn't have been unusual or extraordinary for the Rules Committee to protect this provision. Many of us pleaded with the committee to do just that, to respect the work of the Appropriations Committee when it came to protecting WIC, when it came to protecting poor pregnant women and children.

Madam Chair, my friends on the other side of the aisle say all the time that they're with us in trying to cut excessive subsidies and putting the focus back on the people here in the United States who need help. This would have been an opportunity. If not now, when are we going to do this?

So, Madam Chair, I would hope that my colleagues on the other side of the aisle would reconsider and not insist on their point of order. I think poor pregnant women and children in this country who benefit from WIC are more important right now than subsidizing Brazilian cotton farmers.

Mr. KINGSTON. Madam Chair, I would like to speak to the point of order.

The Acting CHAIR. The gentleman from Georgia is recognized.

Mr. KINGSTON. The gentleman says, If not now, when? It is our intention to restore this at the proper place in the bill, the DeLauro amendment. I wanted to clarify that because we've discussed that, and we intend to follow through with that.

The Acting CHAIR. The Chair is prepared to rule.

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 744. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide any benefit described in section 1001D(b)(1)(C) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)(C)) to a person or legal entity if the average adjusted gross income of the person or legal entity exceeds \$250,000.

POINT OF ORDER

Mr. LUCAS. Madam Chairman, I make a point of order against section 744 which begins on page 79, line 3, and ends on page 79, line 10, in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any Member wish to be heard on the point of order? If not, the Chair will rule.

The Chair finds that this section addresses funds in other acts. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 745. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

SPENDING REDUCTION ACCOUNT

SEC. 746. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is \$0.

Mr. KINGSTON. Madam Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CONAWAY) having assumed the chair, Mrs. MYRICK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Small Business:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 15, 2011.

Hon. JOHN A. BOEHNER,
Speaker of the House,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: Due to my appointment to the House Committee on Transportation and Infrastructure, I hereby resign my position with the House Committee on Small Business.

It has been an honor to serve as a Member of the Committee on Small Business, and I have been proud to work hard with my colleagues to find solutions to the problems that small businesses face in America. I look forward to representing the people of the 3rd Congressional District of Tennessee as a Member of the House Committee on Transportation and Infrastructure.

I appreciate the opportunity to have served on the House Committee on Small Business, and I look forward to working with you in the future.

Sincerely,

CHUCK FLEISCHMANN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 8 p.m. today.

Accordingly (at 5 o'clock and 25 minutes p.m.), the House stood in recess until approximately 8 p.m.

□ 2005

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KINGSTON) at 8 o'clock and 5 minutes p.m.

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

The SPEAKER pro tempore. Pursuant to House Resolution 300 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2112.

□ 2006

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2112) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 2012, and for other purposes, with Mr. REED (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the bill had been read through page 80, line 2.